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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/586,942	07/24/2006	Herbert Handl	4962/PCT	6552
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/586,942

Applicant(s)

HANDL ET AL.

Examiner

CHRIS C. CHU

Art Unit

2815

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 November 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 2 and 6 - 12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 2 and 6 - 12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 November 2008 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. Applicant's amendment filed on November 18, 2008 has been received and entered in the case.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Yasuda et al. (U. S. Pat. No. 4,042,861).

Regarding claim 1, Yasuda et al. discloses in e.g., Fig. 2 an electronic device (the device in e.g., Fig. 2)

- with a base plate (2; column 5, line 1),
- with an electronics housing (1a; column 4, line 37) which is connected to the base plate (2), with at least one bond contact bearer (3b'; column 5, lines 51 and 52 and see e.g., Fig. 2),
- characterised in that the bond contact bearer (3b') is supported on the base plate (2) by a supporting body (2a; the first projection from the surface 2b of the base plate 2) in

such a manner that the supporting body (2a) exerts a pretension force onto the bond contact bearer (3b'; see e.g., Fig. 2).

Furthermore, the limitation "in such a manner that the supporting body exerts a pretension force onto the bond contact bearer" is functional limitation that does not structurally or patentably distinguish the claimed invention from the structure as disclosed by Yasuda et al. Since the supporting body supporting the bond contact bearer on the base plate, hence Yasuda et al. fully anticipates this functional limitation.

4. Claims 1, 2, 6 and 7 – 12 are rejected under 35 U.S.C. 102(b) as being anticipated by Christopher et al. (U. S. Pat. No. 6,058,013).

Regarding claim 1, Christopher et al. discloses in e.g., Fig. 2 an electronic device (the device in e.g., Fig. 2)

- with a base plate (278; column 4, line 50),
- with an electronics housing (201; column 4, line 24) which is connected to the base plate (278), with at least one bond contact bearer (the lead that is passing thru the wall 101'; see e.g., Fig. 2),
- characterised in that the bond contact bearer (the lead that is passing thru the wall 101') is supported on the base plate (278) by a supporting body (101; column 2, line 41) in such a manner that the supporting body (101) exerts a pretension force onto the bond contact bearer (the lead that is passing thru the wall 101'; see e.g., Fig. 2).

Furthermore, the limitation "in such a manner that the supporting body exerts a pretension force onto the bond contact bearer" is functional limitation that does not structurally

or patentably distinguish the claimed invention from the structure as disclosed by Christopher et al. Since the supporting body supporting the bond contact bearer on the base plate, hence Christopher et al. fully anticipates this functional limitation.

Regarding claim 2, Christopher et al. discloses in e.g., Fig. 2 a projection of the supporting body (101) above the base plate (278) being greater than the distance between the bond contact bearer (the lead that is passing thru the wall 101') and the base plate (278; see e.g., Fig. 2).

Regarding claim 6, Christopher et al. discloses in e.g., Fig. 2 the supporting body (101) representing a separate component from the base plate (278; see e.g., Fig. 2), which is mechanically connected to the electronics housing (201; see e.g., Fig. 2) .

Regarding claim 7, Christopher et al. discloses in e.g., Fig. 2 the supporting body (101) being designed as a projecting ring or as a plurality of projecting individual segments (see e.g., Fig. 2).

Regarding claim 8, Christopher et al. discloses in e.g., Fig. 2 an electronic device (the device in e.g., Fig. 2) comprising:

- a base plate (278);
- an electronics housing (201) connected to said base plate (278; see e.g., Fig. 2);
- an electrical bonding contact terminal (the lead that is passing thru the wall 101'; see e.g., Fig. 2) that protrudes from said housing (201; see e.g., Fig. 1), and that has a free terminal end (the portion of the lead that is attached to the element 207) projecting away from said housing (201) and a root end (the portion of the lead that is attached

- to the element 209) adjoining said housing (201) opposite said free terminal end (see e.g., Fig. 2); and
- a support body (101) that is interposed between said free terminal end of said bonding contact terminal (the lead that is passing thru the wall 101') and said base plate (278), and that supports said bonding contact terminal (the lead that is passing thru the wall 101') relative to said base plate (278; see e.g., Fig. 2), and that exerts a pre-stressing force onto said bonding contact terminal because a projection height of said support body (101) from said base plate (278) is greater than a distance between said root end (the portion of the lead that is attached to the element 209) of said bonding contact terminal and said base plate (278; see e.g., Fig. 2).

Furthermore, the limitation "that exerts a pre-stressing force onto said bonding contact terminal" is intended use or functional language that does not structurally or patentably distinguish the claimed invention from the structure as disclosed by Christopher et al. Since any one of the support body is capable of performing as exerting a pre-stressing force onto said bonding contact terminal, hence Christopher et al. fully anticipates this limitation.

Regarding claim 9, Christopher et al. discloses in e.g., Fig. 2 said free terminal end (the portion of the lead that is attached to the element 207) of said bonding contact terminal, relative to said root end of said bonding contact terminal, is deflected away from said base plate (278) by said support body (101) so as to thereby exert said pre-stressing force onto said bonding contact terminal (see e.g., Fig. 2). Furthermore, the limitation "so as to thereby exert said pre-stressing force onto said bonding contact terminal" is intended use or functional language that does not structurally or patentably distinguish the claimed invention from the structure as disclosed by

Christopher et al. Since any one of the support body is capable of performing as exerting a pre-stressing force onto said bonding contact terminal, Christopher et al. fully anticipates this limitation.

Regarding claim 10, Christopher et al. discloses in e.g., Fig. 2 an electronic component (119; column 3, lines 56 and 57) having a second bonding contact terminal (the lead or/and wire that connects between the elements 119 and 209), which is electrically bonded to said bonding contact terminal (the lead that is passing thru the wall 101') that protrudes from said housing (201; see e.g., Fig. 2).

Regarding claim 11, Christopher et al. discloses in e.g., Fig. 2 said support body (101) being a discrete component (see e.g., Fig. 2) separate from said base plate (278) and being mechanically connected to said electronics housing (201) and merely resting on said base plate (278; see e.g., Fig. 2).

Regarding claim 12, Christopher et al. discloses in e.g., Fig. 2 said support body (101) being a support frame with a ring shape extending continuously along a perimeter of an opening of said housing (201; see e.g., Fig. 2).

Response to Arguments

5. Applicant's arguments filed November 18, 2008 have been fully considered but they are not persuasive.

On page 14, applicant argues "[T]he Yasuda et al. reference does not disclose and includes no inherent indication that the alleged supporting body (2a) exerts a pretension force onto the alleged bond contact bearer (3b')." This argument is not persuasive because claim 1

does not specifically claim the specific range or value of the pretension force and the supporting body disclosed is capable to exert some degree of a pretension force onto the bond contact bearer in order to provide an electrical connection to the package. Thus, Yasuda et al. reference discloses and includes the alleged supporting body (2a) exerting a pretension force onto the alleged bond contact bearer (3b'). In other words, the alleged bond contact bearer being flexible does not make it not exert a pretension force onto the bond contact bearer. Also, applicant should note that the limitation "in such a manner that the supporting body exerts a pretension force onto the bond contact bearer" is functional limitation that does not structurally or patentably distinguish the claimed invention from the structure as disclosed by Yasuda et al. Since the supporting body supporting the bond contact bearer on the base plate, hence Yasuda et al. fully anticipates this functional limitation.

Furthermore, applicant argues "there is no express disclosure, and no indication, suggestion or inherent feature of the Christopher et al. patent that would support the assertion that the wall (101) exerts a pretension force onto the electrical lead passing through the wall at the through-wall connection (207)." This argument is not persuasive because claims 1 and 8 do not specifically claim the specific range or value of the pretension force and the supporting body disclosed is capable to exert some degree of a pretension force onto the bond contact bearer in order to provide an electrical connection to the package. Thus, Christopher et al. reference discloses and includes the wall (101) exerting a pretension force onto the electrical lead passing through the wall at the through-wall connection (207). Also, applicant should note that the limitation "that exerts a pre-stressing force onto said bonding contact terminal" is intended use or

functional language that does not structurally or patentably distinguish the claimed invention from the structure as disclosed by Christopher et al. Since any one of the support body of Christopher et al. is capable of performing as exerting a pre-stressing force onto said bonding contact terminal, hence Christopher et al. fully anticipates this limitation.

For the above reasons, the rejection is maintained.

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHRIS C. CHU whose telephone number is (571)272-1724. The examiner can normally be reached on 11:30 - 8:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kenneth Parker can be reached on 571-272-2298. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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Primary Examiner
Art Unit 2815

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Thursday, March 05, 2009